AGENDA FOR THE REGULAR COUNCIL MEETING OF TUESDAY, MARCH 16, 2004 AT 10:00 A.M. CITY ADMINISTRATION BUILDING COUNCIL CHAMBERS – 12TH FLOOR 202 "C" STREET SAN DIEGO, CA 92101

<u>NOTE:</u> The public portion of the meeting will begin at 10:00 a.m. The City Council will meet in Closed Session this morning from 9:00 a.m. – 10:00 a.m. Copies of the Closed Session agenda are available in the Office of the City Clerk.

ITEM-300: ROLL CALL.

NON-AGENDA PUBLIC COMMENT

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Time allotted to each speaker is determined by the Chair, however, comments are limited to no more than three (3) minutes **total per subject** regardless of the number of those wishing to speak. Submit requests to speak to the City Clerk **prior** to the start of the meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by Council on any issue brought forth under "Non-Agenda Public Comment."

COUNCIL, CITY ATTORNEY, CITY MANAGER COMMENT

REQUEST FOR CONTINUANCE

The Council will now consider requests to continue specific items.

=== LEGISLATIVE SCHEDULE ===

Adoption Agenda, Discussion, Committee Item

ITEM-330:

Tenants' Right To Know (Cause Eviction) Ordinance.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:
On 11/5/2003, LU&H voted 4 to 1 to approve proposed draft cause eviction ordinance with the new title Tenants' Right to Know and to revise the just cause provision of the draft ordinance (subject to review and revision from the City Attorney) with the following language:

"A tenant who has resided in the same dwelling unit for at least two years may only be evicted for good cause, including serious or repeated violation of the terms and conditions of the lease; violation of a federal, state or local law which imposes an obligation on the tenant in connection with the occupancy or use of the dwelling unit and surrounding premises; or other good cause.

Other good cause includes but is not limited to: failure by the tenant to accept the offer of a new lease; a tenant history of disturbance of neighbors or destruction of property, or of living of housekeeping habits resulting in damage to the unit or property; criminal activity by tenants involving crimes of physical violence to persons or property; the owner's desire to utilize the unit for personal or family use or for a purpose other than use as a residential rental unit; or a business or economic reason for termination of the tenancy such as sale of the property or renovation of the unit."

Non-Docket Items

Adjournment in Honor of Appropriate Parties

Adjournment

=== EXPANDED CITY COUNCIL AGENDA ===

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEM

COMMITTEE ON LAND USE AND HOUSING, ORDINANCE TO BE INTRODUCED:

ITEM-330: Tenants' Right To Know (Cause Eviction) Ordinance.

(See City Attorney Reports dated 10/31/2003 and 3/2/2004 (not available at Committee); memorandum from Councilmember Frye dated 11/5/2003; and citizens' letters.)

TODAY'S ACTION IS:

Introduce the following ordinance:

(O-2004-55)

Introduction of an Ordinance amending Chapter 9, Article 8, of the San Diego Municipal Code, by adding a new Division 7, titled "Tenants' Right to Know Regulations;" and by adding new Sections 98.0701, 98.0702, 98.0720, 98.0725, 98.0730, 98.0750, 98.0760, and 98.0765, all pertaining to Cause for Residential Evictions.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 11/5/2003, LU&H voted 4 to 1 to approve adopt the City Attorney's proposed draft cause eviction ordinance with the new title Tenants' Right to Know and to revise the just cause provision of the draft ordinance (subject to review and revision from the City Attorney) with the following language:

"A tenant who has resided in the same dwelling unit for at least two years may only be evicted for good cause, including serious or repeated violation of the terms and conditions of the lease; violation of a federal, state or local law which imposes an obligation on the tenant in connection with the occupancy or use of the dwelling unit and surrounding premises; or other good cause.

Other good cause includes but is not limited to: failure by the tenant to accept the offer of a new lease; a tenant history of disturbance of neighbors or destruction of property, or of living of housekeeping habits resulting in damage to the unit or property; criminal activity by tenants involving crimes of physical violence to persons or property; the owner's desire to utilize the unit for personal or family use or for a purpose other than use as a residential rental unit; or a business or economic reason for termination of the tenancy such as sale of the property or renovation of the unit." (Councilmembers Zucchet, Atkins, Lewis, and Frye voted yea. Councilmember Peters voted nay.)

NON-DOCKET ITEMS
ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES
ADJOURNMENT